

Applicant: Taka-Aki Sato
Serial No.: 09/327,750
Filed: June 7, 1999
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REMARKS

Claims 134-136, 139-143 and 146 are pending in the subject application. By this Amendment, applicant has amended claims 134, 135, 141 and 142. Support for amended claims 134 and 141 may be found in the specification *inter alia* at page 46, lines 5-6. Support for amended claims 135 and 142 may be found in the specification *inter alia* at page 39, lines 14-15. Accordingly, claims 134-136, 139-143 and 146 will still be pending in the subject application upon entry of this Amendment.

Rejection under 35 U.S.C. §112, Second Paragraph

The Examiner rejected claims 134-136, 139-143 and 146 under 35 U.S.C. §112, second paragraph, as allegedly incomplete for omitting essential steps. Specifically, the Examiner states that although the invention is the association of NADE and p75 and its relationship to apoptosis, none of the pending claims recite a method step which requires a measurement of apoptosis. The Examiner further suggests that the claims should recite, for example, "a method for determining whether an agent has the potential to decrease/increase apoptosis", unless applicant amends the claims to recite a step which measures apoptosis.

In response to the rejection of claims 134-136, 139-143 and 146, but without conceding the correctness of the Examiner's rejection, applicant notes that, as amended, claims 134, 135, 141 and 142, and their dependent claims, provide methods for

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determining potential apoptosis inhibitors or inducers, thereby obviating the rejection.

In view of the above remarks, applicant maintains that claims 134-136, 139-143 and 146 satisfy the requirements of 35 U.S.C. §112, second paragraph.

Conclusion


For the reasons set forth hereinabove, applicant respectfully requests that the Examiner reconsider and withdraw the rejections, and solicits allowance of the pending claims.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicant's undersigned attorneys invite the Examiner to telephone them at the number provided below.

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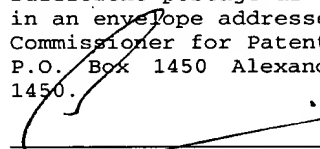
No fee is deemed necessary in connection with this Amendment.
However, if any fee is required, authorization is hereby given
to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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Alan J. Morrison
Reg. No. 37,399

12/8/07
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